

Proposed Amendments to the Somerville Zoning Ordinance v4 (11/19/2019)

Text to be removed is ~~crossed-out~~ and new text is underlined.

#	Sponsor	Article/Subsection	Change	OSPCD Comments
1	Ballantyne, Niedergang, Senator Jehlen, Rosetti	§1.1.4.i.	ii. To promote the adaptation of existing buildings and permit redevelopment and infill construction <u>encourage an architectural design for new construction</u> that contributes to Somerville’s architectural built <u>architectural</u> legacy, while respecting neighborhood <u>neighborhood</u> established character of existing buildings.	
2	Ballatyne, Davis, Rosetti	Article 2: Glossary	<p>Formula Business — Any business, regardless of ownership or location worldwide, that chooses or is required as a franchise maintain two (2) or more of a standardized menu, standardized merchandise, a standardized facade, a standardized decor or color scheme, a standardized employee uniform, a standardized sign or signage, or a trademark or a service mark along with nine (9) or more other businesses.</p> <p>Formula Food or Beverage Service — A Food or Beverage Service principal use category. See §9.2.7.c-Formula Food or Beverage Service.</p> <p>Formula Retail — A Retail Sales principal use category. See §9.2.12.c-Formula Retail.</p>	

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3	Ballantyne, Davis, Niedergang, Rosetti	Article 2: Glossary	<p>Landscape Area</p> <p>The area of a lot covered by turf grass or other groundcovers; planting beds; permeable, pervious, or porous pavements paving stones, grass pavers, pervious concrete, or porous asphalt; or inorganic surfacing such as stone, gravel, and other similar materials, excluding driveways, parking spaces, and other surfaces intended for the maneuvering of motor vehicles.</p>	
4	Ballantyne, Rosetti	Article 2: Glossary	<p>Net Zero Ready Building</p> <p>Any building that 1) has no on-site combustion for heating HVAC system operation and cooking equipment (all electric systems), excluding floor area Eating & Drinking Establishment principal uses, and 2) has an energy use intensity that is at least twenty-five percent (25%) below ASHRAE 90.1 2010; meets the requirements of is certifiable as Zero Carbon Certification or higher from the International Living Future Institute; or achieves PHIUS+ Certification from the Passive House Institute US.</p>	Amendment inclusive with correcting each instance of the term throughout the Ordinance.
5	Davis	Article 2: Glossary	<p>Parking Structure</p> <p>Any structure used or designed for the off-street parking of motor vehicles, excluding an accessory garage and a carport and any outbuilding used a garage.</p>	

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6	Ballantyne, Davis, Niedergang, Rosetti	Article 2: Glossary	<p>Paving Stone Brick, stone, or concrete blocks with permeable joints.</p> <p>Paver A masonry block of various material or size:</p> <p>Paver, Grass A type of open-cell paving stone filled with soil and planted with turf grass or other groundcovers.</p> <p>Permeable Area The area of a lot that is landscaped or covered by porous asphalt, pervious concrete, paving stones, or grass pavers.</p> <p>Pervious Area The area of a lot covered by mulch, vegetation, and permeable, pervious, or porous paving or materials that reduce or eliminate the amount or rate of storm water runoff directed into the sewer or storm system:</p> <p>Pervious Concrete Concrete made from cement and large aggregates that leave open voids allowing for water to pass through the pavement.</p> <p>Porous Asphalt Concrete made from bitumen and large aggregates that leave open voids allowing for water to pass through the pavement.</p> <p>Ribbon Driveway A driveway with two parallel strips of concrete, mortar-set stone or brick, or solid or turf pavers with an open, unpaved space in between paved tracks separated by an unpaved area.</p> <p>Runoff Coefficient A number relating the amount of stormwater runoff to the amount of precipitation received. A larger value indicates low permeability and higher storm water runoff and a lower value indicates higher permeability and lower storm water runoff.</p>	

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7	Ballantyne, Davis, & Rosetti	§2.4.2.c.i	<u>c). The lot coverage (and PERMEABLE AREA) of porous asphalt, pervious concrete, paving stones, or grass pavers is calculated using the runoff coefficient provided by the manufacturer.</u>	
8	Davis	§2.4.3.c	c. Parking SETBACKS i. Unless otherwise specified, all parking, excluding underground STRUCTURED PARKING, must be located at or behind any required parking SETBACK. ii. <u>Parking is not permitted within a FRONTAGE AREA.</u>	
9	Scott	§2.4.3.d.v	v. Unenclosed fire escapes or emergency egress stairways may encroach into a required side or rear setback, provided that at least ten (10) feet is maintained from the vertical plane of any lot line.	
10	Ballantyne, Davis, Niedergang	§2.4.4.b.vii	b). When building height allows for a half-story, the half story is counted as the HABITABLE space located directly under a pitched roof <u>is counted as a half STORY</u> . The following standards apply <u>to half stories</u> : i). The roof rafters must intersect the wall plate or top of wall frame of the exterior walls at a height no more than two (2) feet above the finished floor of the half-STORY <u>of a principal building type or four (4) feet above the finished floor of the half-story of an accessory building type.</u>	
11	Ballantyne, Davis, Niedergang	§2.4.4.b.viii	a). When required, any building that exceeds four (4) stories in height must step back at the 5th story as indicated for each building type. A required distance that certain upper stories of a building must be recessed from the plane of the facade of the stories below. i). <u>Required step backs must be provided for all stories as indicated for each building type.</u>	
12	Ballantyne, Davis, Niedergang, Rosetti	§3.1.6	a. The following ACCESSORY BUILDING TYPES are permitted by Site Plan Approval in the Neighborhood Residence district: i. <u>Carriage House Backyard Cottage</u>	Amendment inclusive with correcting each instance of the term throughout the Ordinance.

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13	Ballantyne, Davis, Niedergang	§3.1.12 Backyard Cottage	<p>A small FLOOR PLATE, detached, ACCESSORY BUILDING TYPE typically providing space for one (1) small DWELLING UNIT, a home OCCUPATION, creative studio space, shed storage, a playhouse for children, or vehicular parking <u>on the same lot as a principal building type.</u></p> <p>The following images are examples from Somerville of the <u>backyard cottage outbuilding</u> ACCESSORY BUILDING TYPE and are intended only for illustrative purposes.</p>	Councilor Hirsh recuses																										
14	Davis, Niedergang	§3.1.12 Backyard Cottage	<table border="1"> <thead> <tr> <th colspan="2">Main Massing</th> </tr> </thead> <tbody> <tr> <td>A Width (min/max)</td> <td>18-ft 24 ft</td> </tr> <tr> <td>B Depth (min/max)</td> <td>20-ft 32 ft</td> </tr> <tr> <td>C FLOOR PLATE (max)</td> <td>576 sf</td> </tr> <tr> <td>Ground story Elevation (min)</td> <td>0 ft</td> </tr> <tr> <td>D STORY Height (min/max)</td> <td>10 ft 12-ft</td> </tr> <tr> <td>E Number of Stories (max)</td> <td>1.5 stories</td> </tr> <tr> <td>Roof Type</td> <td>Flat, GABLE,</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="2">Facade Composition</th> </tr> </thead> <tbody> <tr> <td>A GROUND STORY FENESTRATION (min/max)</td> <td>--</td> </tr> <tr> <td>Residential Use</td> <td>20% 50%</td> </tr> <tr> <td>Vehicular Parking</td> <td>0% 50%</td> </tr> <tr> <td>B UPPER STORY FENESTRATION (min/max)</td> <td>20% 50%</td> </tr> </tbody> </table>	Main Massing		A Width (min/max)	18-ft 24 ft	B Depth (min/max)	20-ft 32 ft	C FLOOR PLATE (max)	576 sf	Ground story Elevation (min)	0 ft	D STORY Height (min/max)	10 ft 12-ft	E Number of Stories (max)	1.5 stories	Roof Type	Flat, GABLE,	Facade Composition		A GROUND STORY FENESTRATION (min/max)	--	Residential Use	20% 50%	Vehicular Parking	0% 50%	B UPPER STORY FENESTRATION (min/max)	20% 50%	Councilor Hirsh recuses
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17	Niedergang, Ewen-Campen	§3.1.16.b Use Limitations	<p>i. Occupancy of a Backyard Cottage accessory building type that is nonconforming to the required minimum side or rear setbacks by any permitted Residential principal use is prohibited.</p> <p>i. Modification of any existing principal building that would result in a decrease in the number of bedrooms of any existing dwelling unit to add one (1) or more additional dwelling units is prohibited.</p>	Councilor Hirsh opposed																		
18	Davis	§3.1.16	<p>d. Parking Design</p> <p>i. The design of all parking is subject to §11.1 Bicycle Parking and §11.2 MOTOR VEHICLE PARKING of this Ordinance.</p> <p>ii. <u>Tandem parking within the drive aisle of a driveway is permitted and is counted as two (2) parking spaces toward any minimum parking requirement.</u></p> <p>e. Parking Location</p> <p>i. <u>Parking spaces within the drive aisle of a driveway are exempt from the parking setback required for each building type.</u></p>																			
19	Hirsh	Article 3: Residential Districts	That any SUBSTANTIAL RENNOVATION (as defined) that also increases the NET FLOOR AREA of a PRINCIPAL BUILDING in the NR district be required to pay affordable housing linkage to mitigate impacts to the affordability of housing in Somerville.	Likely requires a Home Rule Petition																		

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20	Ballantyne, Davis, Niedergang, Rosetti	§3.1.18.c	<ul style="list-style-type: none"> i. New driveways require a permit from the City Engineer <u>in accordance with Chapter 11, Article II, Sec. 11-33 Driveway Construction of The Code of Ordinances, City of Somerville, Massachusetts.</u> ii. Driveways must be compliant with all City Ordinances and constructed in accordance with all standards established by relevant City Departments paved with paving stones, grass pavers, pervious concrete, or porous asphalt unless graded to direct runoff onto on-site permeable areas or granted a waiver by the City Engineer to mitigate adverse site conditions. Ribbon driveways are highly encouraged. See Figure 3.1.18 for examples. ... vii. Ribbon driveways and permeable driveways are highly encouraged. See Figure 3.1.18 for examples. 							
21	Ballantyne, Davis, Ewen-Campen, Hirsh, Niedergang	§3.2.7 Semi-Detached Triple Deckers	<p><u>f. Development Benefits</u></p> <ul style="list-style-type: none"> i. <u>Development is subject to the provisions of Article 12: Development Benefits of this Ordinance. Where the provisions of this section conflict with those of Article 12, the provisions of Article 12 apply.</u> ii. <u>Development of a detached triple decker must provide affordable dwelling units as specified on Table 3.2.11.</u> iii. <u>Required ADUs must be priced as a Tier 3 ADU.</u> <p>Table 3.2.7 Required ADUs</p> <table border="1" data-bbox="789 1118 1488 1247"> <thead> <tr> <th data-bbox="789 1118 1140 1162">Dwelling Units per Lot</th> <th data-bbox="1140 1118 1488 1162">Required ADUs</th> </tr> </thead> <tbody> <tr> <td data-bbox="789 1162 1140 1206">0 to 2 units</td> <td data-bbox="1140 1162 1488 1206">None</td> </tr> <tr> <td data-bbox="789 1206 1140 1247">3 units</td> <td data-bbox="1140 1206 1488 1247">1 unit</td> </tr> </tbody> </table>	Dwelling Units per Lot	Required ADUs	0 to 2 units	None	3 units	1 unit	
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49	Ballantyne, Davis	CC District §6.2.9 Commercial Block Building	<table border="1"> <thead> <tr> <th colspan="3" data-bbox="789 175 1495 217">Building Setbacks</th> </tr> </thead> <tbody> <tr> <td data-bbox="789 217 1318 259">A</td> <td data-bbox="1318 217 1409 259">Primary Front SETBACK (min/max)</td> <td data-bbox="1409 217 1495 259">2 ft 15 ft</td> </tr> <tr> <td data-bbox="789 259 1318 302">B</td> <td data-bbox="1318 259 1409 302">Secondary Front SETBACK</td> <td data-bbox="1409 259 1495 302">2 ft 15 ft</td> </tr> <tr> <td data-bbox="789 302 1318 344">C</td> <td data-bbox="1318 302 1409 344">Side SETBACK (min)</td> <td data-bbox="1409 302 1495 344">--</td> </tr> <tr> <td></td> <td data-bbox="1318 344 1409 386">PODIUM <u>abutting an Alley</u></td> <td data-bbox="1409 344 1495 386">0 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 386 1409 428"><u>Podium abutting any non-NR or -LHD</u></td> <td data-bbox="1409 386 1495 428">0 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 428 1409 470"><u>1st - 3rd Story abutting NR or LHD</u></td> <td data-bbox="1409 428 1495 470">10 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 470 1409 513"><u>4th - 6th Story abutting NR or LHD</u></td> <td data-bbox="1409 470 1495 513">30 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 513 1409 555">TOWER(S)</td> <td data-bbox="1409 513 1495 555">30 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 555 1409 597">TOWER(S) ABUTTING NR or LHD</td> <td data-bbox="1409 555 1495 597">60 ft</td> </tr> <tr> <td data-bbox="789 597 1318 639">D</td> <td data-bbox="1318 597 1409 639">PODIUM Rear SETBACK (min)</td> <td data-bbox="1409 597 1495 639">--</td> </tr> <tr> <td></td> <td data-bbox="1318 639 1409 682"><u>Abutting an Alley</u></td> <td data-bbox="1409 639 1495 682">0 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 682 1409 724"><u>Abutting any non-NR or -LHD</u></td> <td data-bbox="1409 682 1495 724">10 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 724 1409 766"><u>1st - 3rd Story abutting NR or LHD</u></td> <td data-bbox="1409 724 1495 766">20 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 766 1409 808"><u>4th - 6th Story abutting NR or LHD</u></td> <td data-bbox="1409 766 1495 808">30 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 808 1409 850">TOWER(S) REAR SETBACK</td> <td data-bbox="1409 808 1495 850">30 ft</td> </tr> <tr> <td></td> <td data-bbox="1318 850 1409 893">ABUTTING NR or LHD</td> <td data-bbox="1409 850 1495 893">60 ft</td> </tr> </tbody> </table>	Building Setbacks			A	Primary Front SETBACK (min/max)	2 ft 15 ft	B	Secondary Front SETBACK	2 ft 15 ft	C	Side SETBACK (min)	--		PODIUM <u>abutting an Alley</u>	0 ft		<u>Podium abutting any non-NR or -LHD</u>	0 ft		<u>1st - 3rd Story abutting NR or LHD</u>	10 ft		<u>4th - 6th Story abutting NR or LHD</u>	30 ft		TOWER(S)	30 ft		TOWER(S) ABUTTING NR or LHD	60 ft	D	PODIUM Rear SETBACK (min)	--		<u>Abutting an Alley</u>	0 ft		<u>Abutting any non-NR or -LHD</u>	10 ft		<u>1st - 3rd Story abutting NR or LHD</u>	20 ft		<u>4th - 6th Story abutting NR or LHD</u>	30 ft		TOWER(S) REAR SETBACK	30 ft		ABUTTING NR or LHD	60 ft	
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51	Davis, Hirsh, Niedergang	Article 3: Residential Districts Article 4: Mid-Rise Districts Article 5: High-Rise Districts	<p>Amend the following tables as indicated:</p> <p>3.2.9 Required ADUs (Apartment House) 3.2.10 Required ADUs (UR Apartment Building) 3.2.11 Required ADUs (Row Houses) 4.1.7 Required ADUs (MR3 Apartment Building) 4.1.8. (a) Required ADUs (MR3 General Building) 4.2.7 Required ADUs (MR4 Apartment Building) 4.2.8. (a) Required ADUs (MR4 General Building) 4.3.7 Required ADUs (MR5 Apartment Building) 4.3.8. (a) Required ADUs (MR5 General Building) 4.4.7 Required ADUs (MR6 Apartment Building) 4.4.8. (a) Required ADUs (MR6 General Building) 5.1.7. (a) Required ADUs (HR General Building) 5.1.10. (a) Required ADUs (HR Mid-Rise Podium Tower) 5.1.11. (a) Required ADUs (HR Block Building)</p> <p>Table [X.X.X] Required ADUs</p> <table border="1"> <thead> <tr> <th>Total Dwelling Units</th> <th>Required ADUs</th> </tr> </thead> <tbody> <tr> <td>0 to <u>3</u> units</td> <td>None</td> </tr> <tr> <td><u>4 or more</u> units</td> <td><u>20% of units</u></td> </tr> <tr> <td><u>7</u> units</td> <td><u>1-unit OR fractional buyout for 0.6 units</u></td> </tr> <tr> <td><u>8 to 17</u> units</td> <td><u>17.5% of units</u></td> </tr> <tr> <td><u>18 or more</u> units</td> <td><u>20% of units</u></td> </tr> </tbody> </table>	Total Dwelling Units	Required ADUs	0 to <u>3</u> units	None	<u>4 or more</u> units	<u>20% of units</u>	<u>7</u> units	<u>1-unit OR fractional buyout for 0.6 units</u>	<u>8 to 17</u> units	<u>17.5% of units</u>	<u>18 or more</u> units	<u>20% of units</u>	
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52	Hirsh	Article 3: Residential Districts Article 4: Mid-Rise Districts Article 5: High-Rise Districts	<p>Amend the above amendment as follows:</p> <p>Table [X.X.X] Required ADUs</p> <table border="1"> <thead> <tr> <th>Total Dwelling Units</th> <th>Required ADUs</th> </tr> </thead> <tbody> <tr> <td>0 to <u>1</u> units</td> <td>None</td> </tr> <tr> <td><u>2 or more</u> units</td> <td><u>20% of units</u></td> </tr> </tbody> </table>	Total Dwelling Units	Required ADUs	0 to <u>1</u> units	None	<u>2 or more</u> units	<u>20% of units</u>							
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53	Hirsh, Niedergang	Article 3: Residential Districts Article 4: Mid-Rise Districts Article 5: High-Rise Districts Article 6: Commercial Districts	<p>Delete column five (minimum parking requirements outside of a transit area) from Table 3.1.18 Vehicular Parking (NR District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 3.2.17 Vehicular Parking (UR District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 4.1.15 Vehicular Parking (MR3 District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 4.2.15 Vehicular Parking (MR4 District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 4.3.15 Vehicular Parking (MR5 District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 4.4.15 Vehicular Parking (MR6 District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 5.1.17 Vehicular Parking (HR District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 6.1.13 Vehicular Parking (FAB District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 6.3.12 Vehicular Parking (CC District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 6.3.13 Vehicular Parking (CI District)</p> <p>Delete column five (minimum parking requirements outside of a transit area) from Table 6.4.14 Vehicular Parking (CB District)</p>	100% supported by Staff and all of the Planning literature concerning parking regulation.

#	Sponsor	Article/Subsection	Change	OSPCD Comments
54	Davis	Overlay Districts Master Planned Development §8.3.6.a	<ul style="list-style-type: none"> iii. The Planning Board may permit an in lieu payment for up to ten percent (10%) of the CIVIC SPACE required in each sub-area by Special Permit <u>in accordance with Section 12.3 Buyouts & Payments.</u> a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a payment in lieu of civic space: <ul style="list-style-type: none"> i). The goals and objectives of the City of Somerville Open Space Plan. ii). The availability and suitability of lots within a development site for development as a civic space. iii). The plausible availability of sites located elsewhere in the city that are suitable for development as civic space. iv). The need for funding to improve or maintain existing civic spaces, particularly athletic fields, located elsewhere in the city. b). The in-lieu payment for civic space is calculated as (A*B) where: <ul style="list-style-type: none"> i). A is the square footage of civic space not provided; and ii). B the average cost to acquire, design, and develop land as a civic space. 	

#	Sponsor	Article/Subsection	Change	OSPCD Comments
55	Davis	Overlay Districts Master Planned Development §8.3.6.b	b. Contributing LOTS i. The Planning Board may permit an in lieu payment for up to one hundred percent (100%) of the civic space required in each sub-area by Special Permit <u>in accordance with Section 12.3 Buyouts & Payments.</u> a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a payment in lieu of civic space:- i). Consistency with the approved Urban Design Framework, as amended. ii). If receipt of an in-lieu payment is advantageous to the City in creating or preserving civic space as compared to the civic space that would have been otherwise provided.- b). The in-lieu payment for civic space is calculated as (A*B) where: i). A is the square footage of civic space not provided; and ii). B the average cost to acquire, design, and develop land as a civic space.	

#	Sponsor	Article/Subsection	Change	OSPCD Comments
56	Davis	Overlay Districts Master Planned Development §8.3.6.b	<ul style="list-style-type: none"> ii. The Planning Board may permit an in lieu payment for up to one hundred percent (100%) of the required non-residential floor area by Special Permit <u>in accordance with Section 12.3 Buyouts & Payments</u>. <ul style="list-style-type: none"> a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a payment in lieu of commercial floor area: <ul style="list-style-type: none"> i). Consistency with the approved Urban Design Framework, as amended. ii). If receipt of an in-lieu payment is advantageous to the City in creating or preserving non-residential floor space as compared to the non-residential floor space that would have been otherwise provided. b). The in-lieu payment for commercial floor area is calculated as 10*(A*B) where: <ul style="list-style-type: none"> i). A is the square footage of commercial floor area not provided; and ii). B is the difference between the price per square foot of non-residential floor area rented or sold over the previous twelve (12) months and the average price per square foot of the market-rate dwelling units proposed for the development. 	

#	Sponsor	Article/Subsection	Change	OSPCD Comments
57	Ballantyne, Niedergang	Overlay Districts Master Planned Development §8.3.8	<p>c. Sustainable DEVELOPMENT</p> <p>i. Development of any new principal building or the modification of any existing building type greater than twenty five thousand (25,000) in gross floor area within any sub-area of the MPD overlay district must be a net zero building or LEED Platinum-certifiable.</p> <p>i. <u>All new principal building types must meet the following:</u></p> <p>a). <u>No on-site combustion for HVAC system operation;</u></p> <p>b). <u>No on-site combustion for cooking equipment, excluding Eating & Drinking Establishment principal uses; and</u></p> <p>c). <u>Be certifiable as:</u></p> <p>i). <u>Zero Carbon or higher from the International Living Future Institute; or</u></p> <p>ii). <u>PHIUS+ from the Passive House Institute US; or</u></p> <p>iii). <u>LEED Platinum from the USGBC.</u></p> <p>ii. <u>All new principal building types must include a green roof covering 100% of the roof area not occupied by building systems or required outdoor amenity space.</u></p>	
58	Scott	Overlay Districts Master Planned Development §8.3.11	Change the designation for MBL 96-A-6 561 Windsor Place on MAP 8.3.11 (a) to Fabrication.	

#	Sponsor	Article/Subsection	Change	OSPCD Comments
59	Ballatyne, Davis, Rosetti	§9.1.7	<ul style="list-style-type: none"> d. <u>General</u> <ul style="list-style-type: none"> i. The USES permitted according to Table 9.1 may be limited or restricted from occupancy within certain BUILDING TYPES permitted for each district. <u>See the standards for each Building Type in each zoning ditrict for more information.</u> ii. Drive-up and drive-through USES are prohibited. e. <u>Pedestrian Streets</u> <ul style="list-style-type: none"> i. ... f. <u>Large Floor Area Uses</u> <ul style="list-style-type: none"> i. ... g. <u>Formula Businesses</u> <ul style="list-style-type: none"> i. <u>Unless other wise specified, FORMULA BUSINESSES require a Special Permit.</u> ii. <u>In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing any use meeting the definition of a FORMULA BUSINESS:</u> <ul style="list-style-type: none"> a). <u>The existing concentrations of FORMULA BUSINESSES within the neighborhood;</u> b). <u>The availability of other similar uses and the maintenance of a diverse blend of businesses within the neighborhood;</u> c). <u>The compatibility of the proposed FORMULA BUSINESS with the existing architectural and aesthetic character of the neighborhood;</u> d). <u>The proposed FORMULA BUSINESSES contribution to the nationwide trend of standardized offerings that detracts from the uniqueness of Somerville’s neighborhoods; and</u> e). <u>The existing non-residential vacancy rates within the neighborhood.</u> 	<p>Inclusive of corresponding deletions of Formula Personal Services, Formula Eating & Drinking Establishments, and Formula Retail from applicable use tables throughout the ordinance and definitions and standards for each in Section 9.2.</p>

#	Sponsor	Article/Subsection	Change	OSPCD Comments
60	Planning Board	§9.2.4.b	<p>Require a Special Permit for Cannabis Cultivation principal uses in the MR3, MR4, MR5, MR6, HR, FAB, CC, CI, & BD districts.</p> <p>Add the following text to §9.2.4.b</p> <p><u>i. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a cannabis retail sales principal principal use:</u></p> <p><u>a). Measures taken to eliminate offensive odors.</u></p>	Inclusive of changes to applicable use tables throughout the ordinance

#	Sponsor	Article/Subsection	Change	OSPCD Comments
61	Davis	§10.2.2	<p>c. Arbor or Trellis <u>A structure of latticework used to support climbing plants or vines, whether a vertical wall or an arching framework. The following standards apply:</u> <u>i. Arbors and trellises may be a maximum of eight (8) feet in height.</u></p> <p>d. CARPORT A roofed structure, whether attached to or detached from a PRINCIPAL BUILDING, that provides weather protection and is used for overnight for SURFACE PARKING of up to two (2) motor vehicles. The following standards apply: i. A carport must be set back at least 20 feet from any front lot line. ii. Where an improved alley is available, vehicular access to the carport must take place from the alley. iii. A CARPORT may be a maximum of <u>twelve (12)</u> feet in height and no more than twenty-four (24) feet in width and depth.</p> <p>e. CHICKEN Coop (Hen House) A free-standing structure for the keeping of CHICKENS, with nest boxes for egg-laying and perches where the birds can sleep. The following standards apply: i. CHICKEN coops <u>may be a maximum of eight (8) feet in height and</u> are not permitted within twenty (20) feet of a FRONT LOT LINE.</p> <p>f. Cold Frame An unheated outdoor STRUCTURE USED for protecting seedlings and plants from cold weather typically consisting of, but not limited to, a wooden or concrete frame built close to the ground and a glass or clear plastic lid. The following standards apply: i. Cold frames may be a maximum of six and one-half (6.5) feet in height. ii. Any plastic covering of a cold frame must be removed and stored when plant cultivation is not in process.</p>	

#	Sponsor	Article/Subsection	Change	OSPCD Comments
			<p>j. FARM STAND A temporary STRUCTURE for the display and sale of clean, whole, unprocessed produce, eggs, or honey cultivated on SITE. The following standards apply:</p> <ul style="list-style-type: none"> i. One (1) FARM STAND is permitted per LOT. ii. A farm stand may be a maximum of twelve (12) feet in height. iii. Product display & area for retail sales is not permitted to exceed fifty (50) square feet. iv. The farm stand, associated product display, and signage must be stored out of sight when not in use. <p>k. Gazebo A STRUCTURE covered by a roof, occasionally enclosed with screening, and intended for outdoor recreational USE. <u>The following standards apply:</u></p> <ul style="list-style-type: none"> i. <u>A gazebo may be a maximum of twelve (12) feet in height.</u> <p>l. Greenhouse A STRUCTURE, primarily of transparent material, in which temperature and humidity can be controlled for the cultivation or protection of plants or other horticultural products. <u>The following standards apply:</u></p> <ul style="list-style-type: none"> i. <u>A greenhouse may be a maximum of twelve (12) feet in height.</u> ii. Green HOUSES on the roofs of buildings must be setback at least five (5) feet from the exterior walls of any structure and may be a maximum of eighteen (18) feet in height above the surface of the roof. 	

#	Sponsor	Article/Subsection	Change	OSPCD Comments
			<p>n. Market Stand A partially-enclosed STRUCTURE USED for outdoor retail sales of products of an urban agriculture use. The following standards apply:</p> <p>i. A market stand may be a maximum of twelve (12) feet in height.</p> <p>o. Outbuilding A free-standing, fully-enclosed structure used for accessory vehicle parking, a home occupation, or as ancillary space for residential principal use including, but not limited to, a playroom for children. The following standards apply:</p> <p>i. Outbuildings must be set back at least twenty (20) feet from any front lot line.</p> <p>ii. Where an improved alley is available, vehicular access to the carport must take place from the alley.</p> <p>iii. An outbuilding may be a maximum of twelve (12) feet in height.</p> <p>iv. An outbuilding must be setback a minimum of three (3) feet from any side or rear lot line unless constructed of fireproof materials.</p> <p>p. Pergola A STRUCTURE consisting of parallel colonnades supporting an open roof or girders and cross rafters, often shading an outdoor amenity area. The following standards apply:</p> <p>i. A pergola may be a maximum of eight (8) feet in height.</p> <p>n. Shed A roofed STRUCTURE USED as a storage space. The following standards apply:</p> <p>i. Sheds may be a maximum of twelve (12) feet in height and no more than one hundred and twenty (120) square feet in gross floor area.</p>	

#	Sponsor	Article/Subsection	Change	OSPCD Comments
			<p>w. Trellis A structural framework of latticework that is at least fifty percent (50%) open, typically made of bars of wood or metal crossed over each other, and primarily used as a support for vines, fruit trees, or climbing plants. The following standards apply:</p> <p>i. A trellis is limited to a maximum height of eight (8) feet.</p>	
62	Ballantyne, Davis, Niedergang, Rosetti	§10.3.5.a.i.f	<p>f). Permeable, pervious, or porous pavements Porous asphalt, pervious concrete, paving stones, or grass pavers with appropriate bedding and an aggregate sub-base;</p>	
63	Ballantyne, Niedergang	§10.3.5.b.iii	<p>iii. New trees may not have a significant negative impact on any abutting properties when fully grown, such as shading a solar collector existing at the time the tree is planted.</p>	
64	Ballantyne, Niedergang	§10.4	<p>1. Purpose</p> <p>a. To incentivize the use of urban landscape elements that manage storm water, filter pollutants, reduce the urban heat island, provide habitat, sequester carbon dioxide, and improve air quality.</p> <p>2. Overview</p> <p>a. GREEN SCORE is an performance-based environmental-landscape environmental sustainability performance standard for urban landscapes.</p> <p>b. Green Score is measured as a ratio of the combined weighted value of all landscape elements to divided by the total land area of a LOT.</p> <p>c. Calculation of the green score uses a value based system to incentivize landscape elements and site design that contributes to the reduction of storm water runoff, the improvement of urban air quality, mitigation of the urban heat island effect, and improved well-being of residents and visitors.</p> <p>d. The result of the Sites earning a higher green score calculation relates to an increase in the indicates a higher environmental performance and quality of urban landscape features sustainability than sites that earn a lower score.</p>	

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65	Ballantyne, Niedergang	TABLE 10.4.1	<table border="1"> <thead> <tr> <th colspan="3">Engineered Landscape</th> </tr> </thead> <tbody> <tr> <td>Vegetated Wall</td> <td>actual sf</td> <td>0.7 <u>0.1</u></td> </tr> <tr> <td>Rain gardens, bioswales, and stormwater planters.</td> <td>actual sf</td> <td>1.0</td> </tr> <tr> <td>Green Roof with up to 6" of growth medium</td> <td>actual sf</td> <td>0.2 <u>0.1</u></td> </tr> <tr> <td>Green Roof with 6"-10" of growth medium</td> <td>actual sf</td> <td>0.4</td> </tr> <tr> <td>Green Roof of 10"-24" growth medium</td> <td>actual sf</td> <td>0.6</td> </tr> <tr> <td>Green Roof of over 24" growth medium</td> <td>-</td> <td>per individual landscape elements</td> </tr> </tbody> </table>	Engineered Landscape			Vegetated Wall	actual sf	0.7 <u>0.1</u>	Rain gardens, bioswales, and stormwater planters.	actual sf	1.0	Green Roof with up to 6" of growth medium	actual sf	0.2 <u>0.1</u>	Green Roof with 6"-10" of growth medium	actual sf	0.4	Green Roof of 10"-24" growth medium	actual sf	0.6	Green Roof of over 24" growth medium	-	per individual landscape elements	
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66	Planning Boar, Niedergang	§10.11	<p>1.—Applicability</p> <p>f. Real property within the Fabrication district or Commercial Industry district is exempt from the provisions of this Section.</p> <p>3. Green Buildings</p> <p>a. New construction or MODIFICATION of any principal building type greater than twenty five thousand (25,000) square feet in GROSS FLOOR AREA must be LEED Silver <u>Gold</u> certifiable.</p> <p>b. New construction or MODIFICATION of any principal building type greater than fifty thousand (50,000) square feet in GROSS FLOOR AREA must be LEED Gold <u>Platinum</u> certifiable.</p>																						

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67	Niedergang	§11.1.1.e.i	<p>b). Provide support to the bicycle frame, allowing <u>for both wheels to rest upon a stable surface and for the bicycle it</u> to stand upright and not fall over without the use of a kick-stand; and prevent the bicycle from falling over;</p> <p>c). Be configured <u>not to block handlebars and baskets and</u> to provide two points of contact to allow for locking of the frame and at least one wheel with a user-provided locking device;</p> <p>d). Be constructed of materials that resist cutting, rusting, bending, or deformation; and</p> <p>e). Be arranged in rows (with bicycles parked side-by-side) or in alignment (with bicycles parked end-to-end).</p> <p><u>f). Not require lifting or vertical mounting of the bicycle.</u></p>	
68	Niedergang	§11.1.3	<p>g. When twenty (20) or more long term bicycle parking spaces are provided, a minimum of five <u>ten</u> percent (10%) of the spaces must be three (3) feet by eight (8) feet in size to accommodate tandem bicycles or bicycles with trailers.</p>	